



H.B. 191

125th General Assembly
(As Introduced)

Reps. Trakas, S. Smith, Domenick, S. Patton

BILL SUMMARY

- Prohibits geographic non-compete agreements in broadcasting employment contracts.

CONTENT AND OPERATION

Broadcasting industry non-compete agreements

(sec. 4113.75)

The bill prohibits a broadcasting industry employer from including in an employment contract any restriction that could result in the employee not being able to obtain employment in a specified geographic area after the termination of employment with that employer. Prohibited restrictions include: geographic non-compete clauses, geographic restrictions on employment, and clauses that prohibit obtaining employment with competitors after the termination of employment.

The bill does not prevent the enforcement of a covenant not to compete during the term of an employment contract or against an employee who breaches an employment contract.

The bill allows any employee who is the subject of a contract that violates the law to bring a civil action against the employer for appropriate injunctive relief and civil damages and allows the employee to recover reasonable attorney's fees and costs.

Definitions

Under the bill, "broadcasting industry," means television, radio, and cable stations and networks. A "broadcast employee" means any employee of a broadcasting industry employer, other than a sales or management employee. "Termination of employment" means the termination of an employee's

employment by the employer, the termination of employment by mutual agreement of the employer and the employee, or the termination of employment due to the expiration of the contract or agreement between the employer and the employee.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-14-03	p. 476

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